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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,715	08/25/2000	Paul L. Hickman	HSC1P001A	6018

7590 11/24/2003  
PERKINS COIE LLP  
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MENLO PARK,, CA 94025-1114

EXAMINER
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PANNALA, SATHYANARAYA R

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 11/24/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/648,715

Applicant(s)

HICKMAN ET AL.

Examiner

Sathyanarayan Pannala

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5,7,9,11-14 and 16-18 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

- 6) ☒ Claim(s) 1,3-5,7,9,11-14 and 16-18 is/are rejected.

- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 16 September 2003 is: a) ☐ approved b) ☒ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6.                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. Applicant's Amendment filed on 9/16/2003, stating to cancel claims 2, 6, 8, 10 and 15 and amended claims are 1, 3-5, 7, 9, 11-14, 16-17. As per this Final Office Action, claims 1, 3-5, 7, 9, 11-14 and 16-18 are pending.

### *Drawings*

2. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Figs. 1-12 as described in the specification. For example, placing a label, "network 1", with element 10 and "network 2" with element 11 of Fig. 1, would give the viewer necessary detail to fully understand these elements at a glance. A **descriptive** textual label for **each numbered element** in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally

recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "16" in Fig. 1 has been used to designate "Computer 1", "Computer 2" and so on. Similarly, reference element "18" has been used to designate "Computer station 1", "Computer station 2" and so on. In Fig. 7, reference element 706 is used to designate both action type (post card) and action type (file reminder).

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the reference element or the label for a part connected to a reference element in Fig. 1 and Fig. 5. The two results from the same point for the reference number 1108 in Fig. 10B is not valid. It is necessary that all parts shown in the drawing should contain at least a reference number or a label.

5. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. §103(a), which forms the basis for all obviousness rejections set forth in this Office action:

"A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made."

7. Claims 1, 3-5, 7, 9, 11-14, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski et al. (US Patent 5,930,471) as applied to claims above, and further in view of Ariyama et al. (JP Patent 4,111,43936).

8. As per independent claims 1,5, 7, 9, 12-14, 17-18, Milewski rendered by the following:

"opening a docketing program" at Fig. 7, col. 8, lines 30-37;

"running a report" at Fig. 8, col. 9, lines 16-25 and Table 5;

"saving the report for further processing" at Fig. 1, col. 6, lines 2-19.

"for a reminder notification action, obtaining all action items within a given range and processing the action items into at least one action item report and e-mailing the at least one action item report to at least one designated recipient" at Fig. 6, col. 8, lines 21-24;

"for a report notification action, obtaining a list of completed action items in a given range and processing the list of completed action items into at least one completed action report and e-mailing the at least one completed action report to at least one designated recipient" at Fig. 6, col. 8, lines 9-21.

Milewski does not explicitly teach determining the time for sending reminder notification. However, Ariyama teaches the following:

“determining that it is a time for at least one of a reminder notification action and a report notification action” (interpreted time as period) at Fig. 1, page 1, paragraph - SOLUTION.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to incorporate time for sending reminder notification. Milewski and Ariyama are combined to relate reminder and report notification on time basis. In order to send an automatic reminder notification a waiting period setting is essential.

9. As per dependent claims 3-4, 11, 16, Milewski teaches the following:  
“reading the saved report into memory” at Fig. 9, col. 9, lines 26-29;  
“parsing the report into items” at Fig. 9, col. 9, lines 35-42;  
“filtering out unwanted items” at Fig. 9, Table 5, col. 9, line 42 to col. 10, line 11.

### ***Response to Arguments***

10. Applicant's arguments filed on 9/16/2003 have been fully considered but they are not persuasive and details as follows:

- a) Applicant's argument regarding objection to the drawings states as  
“Applicant does not understand the Examiner's point with regards to elements 16 and 18.”

In response to the applicant's argument, elements 16 and 18 look in the same way. Examiner suggests differentiating diagrammatically from one to the other.

b) Applicant's argument regarding objection to the drawings states as "The Examiner's comments concerning the decision operation '1108 of Fig. 11' is not understood, even with Applicant assuming that the Examiner meant Fig. 10B."

In response to the Applicant's argument the Examiner agrees the comments made in the earlier office is for Fig. 10B and not Fig. 11. A decision symbol will have 4 corners and the input could be from nay one corner and output could be any 2 of 3. Whereas in the Fig. 10B, from one corner two outputs are shown. Examiner feels that draftsman or technical person did not draw the drawings. A draftsman or a professional must draw all drawings in the invention.

c) Applicant's arguments regarding references fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

d) Applicant's argument regarding objection to the drawings states as "Ariyama is an untranslated Japanese patent provided with a two paragraph abstract written in English.

In response to the Applicant's argument that the Ariyama reference English translated in full (except drawings elements) copy is attached with this Office Action.

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.


If a reference indicated, as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (703) 305-9601 for faster service.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (703) 305-3390. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Sathyanarayan Pannala  
Examiner  
Art Unit 2177

srp  
November 14, 2003

  
GRETA ROBINSON  
PRIMARY EXAMINER